

**SUBSTITUTE ORDINANCE BY
COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

AN ORDINANCE AMENDING CHAPTER 110, ARTICLE I, SECTION 110.3 (a)(5) OF THE ATLANTA CODE OF ORDINANCES, WHICH SETS FORTH THE FEE SCHEDULE FOR CITY RECREATION CENTERS, TO CREATE A NEW FEE SCHEDULE FOR THE ADAMSVILLE RECREATION CENTER AND ROSEL J. FANN RECREATION CENTER, AND TO ESTABLISH THAT HALF OF ALL FUNDS GENERATED BY SUCH FEES SHALL BE DEPOSITED INTO THE BUILDING RENTAL GENERAL FUND ACCOUNT, FUND, ACCOUNT AND CENTER NUMBER 1A01 462201 B00001, AND THAT HALF OF THE FUNDS GENERATED BY SUCH FEES SHALL BE DEPOSITED INTO THE YOUTH ATHLETICS TRUST FUND ACCOUNT, FUND, ACCOUNT AND CENTER NUMBER 3P02 464101 N32W02ARQNAO; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") has a number of recreation centers that are available for public use; and

WHEREAS, there are currently three different categories of recreation centers, Class 4, Class 3, and Class 2. A Class 4 recreation center has a full gymnasium and a natatorium; a Class 3 recreation center has a full gymnasium but no natatorium; and a Class 2 recreation center does not have a full gymnasium or a natatorium; and

WHEREAS, the Atlanta Code of Ordinances ("Code") section 110-3 (a)(5), entitled Fee Schedule, Recreation Centers, sets forth a fee schedule for rental of City recreational centers, whereby one set of fees is established for all Class 1 and 2 recreation centers, and a second set of fees is established for all Class 3 and 4 recreation centers; and

WHEREAS, the City does not operate any Class 1 recreation centers; and

WHEREAS, the City owns only two Class 4 recreation centers, Adamsville Recreation Center and Rosel J. Fann Recreation Center ("the Centers"); and

WHEREAS, as a service to its citizens, the City rents its recreation centers at a reasonable and affordable cost; and

WHEREAS, the Code currently provides that “tax exempt” organizations wishing to rent a room at one of the Centers must pay \$30.00 per hour, and any other organization or any individual wishing to rent a room at one of the Centers must pay \$100.00 per hour; and

WHEREAS, the Centers are mega-facilities whose rental rates should be differentiated from those of Class 3 recreation centers; and

WHEREAS, the City wishes to maintain, and in some instances significantly lower the rental rates at the Centers for anyone wishing to use the Center for a meeting or small gathering, but also wishes to raise rental rates for rooms at the Centers that are used for larger gatherings or events; and

WHEREAS, as the Centers are meant to provide a service to citizens, and as the City acknowledges that this service is funded in large part by tax dollars, the City wishes to provide City of Atlanta residents with a discount of 30% on Class 2 and 3 recreation centers, and on room rentals at the Centers. While currently the resident discount for Class 2 and 3 recreation centers ranges from 50% to 75%, the City believes that the discount should be uniform throughout all recreation centers, and specifically should be consistent with the 30% resident discount being provided at the Centers; and

WHEREAS, currently the Recreation Center Fee Schedule uses the term “tax exempt” without defining the term; and

WHEREAS, 501(c)(3) tax exempt organizations are defined as “Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation (except as otherwise provided in subsection (h)), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.”; and

WHEREAS, 501(c)(4) tax exempt organizations are defined as: “(A) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes. (B) Subparagraph (A) shall not apply to an entity unless no part of the net earnings of such entity inures to the benefit of any private shareholder or individual.” Section 501(c)(4) organizations include alumni associations and neighborhood groups, which are captured by the term “civic league”; and

WHEREAS, the City wishes to provide a discounted rate to any group that is described in the above definitions of 501(c)(3) or 501(c)(4) organizations, regardless of whether the group has actually applied for 501(c)(3) or 501(c)(4) status.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1:Atlanta Code of Ordinances, Section 110.3 (a) (5), is hereby deleted in its entirety and replaced with the following:

“(5) Recreation Centers. The City of Atlanta owns three different types of recreation centers. A Class 4 recreation center has a full gymnasium and a natatorium. A Class 3 recreation center has a full gymnasium but no natatorium. A Class 2 recreation center does not have a full gymnasium or a natatorium. The fees for each of these types of recreation centers is set forth below. Recreation Center Fees for individuals that are City of Atlanta residents, and for organizations that are City of Atlanta resident organizations, shall be 30% lower than fees for non-resident individuals and organizations, except that there shall be no price difference based on residency for weddings and/or wedding receptions held at a Class 4 recreation center. In addition, reduced fees are provided for “tax-exempt organizations”. For purposes of this Section 110.3(a)(5), “tax- exempt organization” shall mean any organization described in the Internal Revenue Service’s list of organizations that qualify for 501(c)(3) or 501(c)(4) status, regardless of whether the organization has actually applied for and/or received such 501(c)(3) or 501(c)(4) designation.

(a) Class 2 Recreation Centers Hourly Rates:

City of Atlanta Resident- Individuals:	\$ 30.00/ hr.
Non-resident- Individuals:	\$ 43.00/ hr.
City of Atlanta Tax-Exempt Organizations:	\$ 30.00/ hr.
Non-Resident Tax-Exempt Organizations:	\$ 43.00/ hr.
All other City of Atlanta Resident Organizations:	\$ 75.00/hr.
All other non-Resident Organizations:	\$112.00/hr.

(b) Class 3 Recreation Centers Hourly Rates:

City of Atlanta Resident- Individuals:	\$ 30.00/ hr.
Non-resident- Individuals:	\$ 43.00/ hr.
City of Atlanta Tax-Exempt Organizations:	\$ 30.00/ hr.
Non-Resident Tax-Exempt Organizations:	\$ 43.00/ hr.
All other City of Atlanta Resident Organizations:	\$100.00/hr.
All other non-Resident Organizations:	\$143.00/hr.

During regular facility operating hours, and pending availability, meeting rooms at all Class II and Class III Recreation Centers will be made available Monday through Sunday, free of charge, to NPU and Neighborhood Planning Unit Neighborhood Associations, and NPU and Neighborhood Planning Unit Neighborhood Associations Sub-Committees that are conducting organizational and community business meetings and activities. Additionally, pending availability, there shall be no charge for the use of facility amenities such as tables, chairs, microphones, and other accessories (excluding office supplies) used in connection with said meetings. The charge for such meetings that occur during non-regular facility operating hours, Monday through Sunday (pending availability) shall be the rate for City of Atlanta tax-exempt organizations, \$30.00 per hour. The use of facility amenities (excluding office supplies) shall remain free of charge.

(c) Class 4 Recreation Centers Hourly Rates:

1. Rentals of Specific Rooms:

a. Auditorium #1. (Adamsville Recreation Center only). These fees apply to Auditorium #1 at the Adamsville Recreation Center only. Except as herein noted, all rentals of Auditorium #1 shall include a refundable security deposit of \$150.00. In addition, rental of Auditorium #1 includes free rental of equipment such as floor tarps, microphones, podium, sound system, and kitchen equipment. Though use of this equipment is at no additional charge, the City will require a \$100.00 refundable security deposit for use of any or all of these items, except as herein noted. Rental of chairs and tables is additional. Rental of chairs is \$1.00 per chair. Rental of tables is \$10.00 per table.

City of Atlanta Resident- Individuals:	\$105.00/ hr.
Non-resident- Individuals:	\$150.00/ hr.
City of Atlanta Tax-Exempt Organizations:	\$ 52.00/ hr.
Non-Resident Tax-Exempt Organizations:	\$ 75.00/ hr.
All other City of Atlanta Resident Organizations:	\$122.00/hr.
All other non-Resident Organizations:	\$175.00/hr.

During regular facility operating hours, and pending availability, Auditorium #1 will be made available Monday through Thursday, free of charge, to NPU and Neighborhood Planning Unit Neighborhood Associations, and NPU and Neighborhood Planning Unit Neighborhood Associations Sub-Committees that are conducting organizational and community business meetings and activities. Additionally, pending availability, there shall be no charge for the use of facility amenities such as tables, chairs, microphones, sound systems, and other accessories (excluding office supplies) used in connection with said meetings. Said organizations will not be charged a building or equipment security deposit. The charge for such meetings that occur Friday through Sunday (pending availability), or that occur during non-regular facility hours on Monday through Thursday (pending availability), shall be the rate for City of Atlanta tax-exempt

organizations, \$52.00 per hour. The use of facility amenities (excluding office supplies) shall remain free of charge, and the security deposit shall continue to be waived.

b. Rosel J. Fann Recreation Center Auditoriums # 1 and #2; Adamsville Recreation Center Auditorium #2. These fees shall apply to the Rosel J. Fann Recreation Center Auditoriums # 1 and #2, and the Adamsville Recreation Center Auditorium #2. Except as noted herein, all rentals of said Auditoriums #1 and #2 shall include a refundable security deposit of \$150.00. In addition, rental of Auditoriums #1 and #2 includes free rental of equipment such as floor tarps, microphones, podium, sound system, and kitchen equipment. Though use of this equipment is at no additional charge, the City will require a \$100.00 refundable security deposit for use of any or all of these items, except as noted herein. Rental of chairs and tables is additional. Rental of chairs is \$1.00 per chair. Rental of tables is \$10.00 per table.

City of Atlanta Resident- Individuals:	\$122.00/ hr.
Non-resident- Individuals:	\$175.00/ hr.
City of Atlanta Tax-Exempt Organizations:	\$ 70.00/ hr.
Non-Resident Tax-Exempt Organizations:	\$100.00/ hr.
All other City of Atlanta Resident Organizations:	\$140.00/hr.
All other non-Resident Organizations:	\$200.00/hr.

During regular facility operating hours, and pending availability, the Rosel J. Fann Recreation Center Auditoriums # 1 and #2, and the Adamsville Recreation Center Auditorium #2, will be made available Monday through Thursday, free of charge, to NPU and Neighborhood Planning Unit Neighborhood Associations, and NPU and Neighborhood Planning Unit Neighborhood Associations Sub-Committees that are conducting organizational and community business meetings and activities. Additionally, pending availability, there shall be no charge for the use of facility amenities such as tables, chairs, microphones, sound systems, and other accessories (excluding office supplies) used in connection with said meetings. Said organizations will not be charged a building or equipment security deposit. The charge for such meetings that occur Friday through Sunday (pending availability), or that occur during non-regular facility hours on Monday through Thursday (pending availability), shall be the rate for City of Atlanta tax-exempt organizations, \$70.00 per hour. The use of facility amenities (excluding office supplies) shall remain free of charge, and the security deposit shall continue to be waived.

c. Conference Room. These fees shall apply to the Rosel J. Fann Recreation Center and the Adamsville Recreation Center conference rooms. All rentals of a conference room shall include use of chairs and tables at no charge. Except as noted herein, use of City equipment shall not be permitted with conference room rentals.

City of Atlanta Resident- Individuals:	\$ 42.00/ hr.
Non-resident- Individuals:	\$ 60.00/ hr.
City of Atlanta Tax-Exempt Organizations:	\$ 30.00/ hr.

Non-Resident Tax-Exempt Organizations:	\$ 43.00/ hr.
All other City of Atlanta Resident Organizations:	\$ 70.00/hr.
All other non-Resident Organizations:	\$100.00/hr.

During regular facility operating hours, and pending availability, the Rosel J. Fann Recreation Center and the Adamsville Recreation Center conference rooms will be made available Monday through Sunday, free of charge, to NPU and Neighborhood Planning Unit Neighborhood Associations, and NPU and Neighborhood Planning Unit Neighborhood Associations Sub-Committees that are conducting organizational and community business meetings and activities. Additionally, pending availability, there shall be no charge for the use of facility amenities such as tables, chairs, microphones, sound equipment, and other accessories (excluding office supplies) used in connection with said meetings. The charge for such meetings that occur during non-regular facility operating hours, Monday through Sunday (pending availability) shall be the rate for City of Atlanta tax-exempt organizations, \$30.00 per hour. The use of facility amenities (excluding office supplies) shall remain free of charge.

d. Gymnasium. These fees shall apply to the Rosel J. Fann Recreation Center gymnasium and the Adamsville Recreation Center gymnasium. All rentals of a gymnasium must be for a minimum of four hours. Use of city equipment, chairs and/or tables shall not be permitted with gymnasium rentals.

City of Atlanta Resident- Individuals (4 hr. minimum):	\$147.00/ hr.
Non-resident- Individuals (4 hr. minimum):	\$210.00/ hr.
City of Atlanta Tax-Exempt Organizations (4 hr. minimum):	\$ 88.00/ hr.
Non-Resident Tax-Exempt Organizations (4 hr. minimum):	\$125.00/ hr.
All other City of Atlanta Resident Organizations (4 hr. minimum):	\$157.00/hr.
All other non-Resident Organizations (4 hr. minimum):	\$225.00/hr.

(2) Weddings and Wedding Receptions. Any individual or organization wishing to hold a wedding or wedding reception at a Class 4 recreation center shall be charged \$750.00 total for use of Auditoriums 1 and 2. This rental shall entitle the renter to seven hours of use, including a maximum of four hours for the event itself, two hours for set up, and one hour for break down. Any additional hours of use will be billed at \$187.50 per hour. Weddings and Wedding Receptions may not be held in the conference room or the gymnasium.

(3) Events with Admission Fess/ Vending. Any individual or organization holding an event at a Class 4 Recreation Center where attendants are charged an admission fee, and/or where vending occurs, must pay: (i) the applicable rental fees set forth above; and (ii) 20% of the gross revenue collected at the event or \$500.00, which ever is greater."

Section 2: Fifty percent of all revenue generated by the Class 4 Recreation Center rentals shall be deposited into the Building Rental General Fund account, fund

account and center number 1A01 462201 B00001. The remaining fifty percent of the revenue generated by the Class 4 Recreation Center rentals shall be deposited into the Youth Athletics Trust Fund account, fund, account and center number 3P02 464101 N32W02ARQNAO.

Section 3: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed for purposes of this Ordinance only, and only to the extent of said conflict.